Invoking of ESMA and NSA

2541. SHRIMATI KANAK MUKHERJEE: Will the Minister of HOME AFFAIRS be pleased to state how many times, since their inception, the ESMA (the Essential Services Maintenance Act) and NSA have been invoked, Statewise to ban strikes in essential services, and to detain people without trial?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): The Essential Services Maintenance Act, came into force on 23rd September, 1981. Since then the Central Government have invoked its provisions on 54 occasions to prohibit strikes in essential services. A statement showing the names of the States etc. where it was invoked by the Central Government is attached as Statement-I (*See* below).

As regards National Security Act, the Statement showing the number of persons detained under this Act since its promulgation till 31st December, 1988 is attached as Statement-II (*See* below).

Statement—I

Number of occasions wherein Essential Services Maintenance Act was invoked by Central Govt. since it came into force on 23rd September, 1981

Statewise State and U.T. where the Act was invoked	Number of occasions on which it was invoked
1. Maharashtra	2
2. Assam	3
3. Delhi	2
4. West Bengal (Farukka)	2
5. Uttar Pradesh	2
6. Madhya Pradesh	9
7. Andhra Pradesh	1
8. On All India Basis	33

Statement—II

Number of persons actually detained under the National Security Act, since its promulgation to 31-12-1988

Sl. No.	States/U.T.	No. of persons actually detained
1.	Andhra Pradesh	348
2.	Assam	305
3.	Bihar	232
4.	Gujarat	613
5.	Haryana	7
6.	Himachal Pradesh	2
7.	Karnataka	29
8.	Madhya Pradesh	1143
9.	Maharashtra	2313
10.	Manipur	382
11.	Meghalaya	15
12.	Nagaland	1
13.	Orissa	177
14.	Punjab	1600
15.	Rajasthan	191
16.	Tamil Nadu	293 (Upto 30-9-88)
17.	Tripura	4
18.	Uttar Pradesh	2205
19.	Sikkim	5
20.	Goa	16
21.	Mizoram	42
22.	Andaman & Nicobar	1
23.	Chandigarh	11
24.	Delhi	176

Note:—(1) National Security Act, 1980 is not applicable to Jammu & Kashmir.

(2) The State Governments of Kerala, West Bengal, Pondicherry, Arunachal Pradesh, Lakshadweep, Dadra & Nagar Haveli have not involved the provisions of the National Security Act.